

PLANNING COMMISSION MINUTES OF JUNE 12, 2006

2005-1185 – The Olson Company [Applicant] **WTJ & D Associates, Csaba W & Marta M Mester, Edward S & Anna S Brugge Trustee** [Owners]: Application for related proposals on a 145,600 square-foot site located at **698 East Taylor Avenue** (near Britton Avenue) in an M-S/ITR/R-3/PD (Industrial & Service/Industrial to Residential/Medium Density Residential/Planned Development) Zoning District. (Mitigated Negative Declaration) (APN's: 205-30-023, 205-30-022, 205-30-024, and 205-30-003) SL

- Special Development Permit to allow 68 condominiums,
- Tentative Map to subdivide four lots into condominium lots.

Steve Lynch, Senior Planner, presented the staff report. He said this application has been delayed as staff and the applicant have been working on the removal process of an existing telecommunications tower on the site. He said staff is now comfortable with the project and feels the tower can be removed. He said there are two changes to the Conditions of Approval (COAs). He referred to Attachment B, COA 1.K and said that staff is recommending the telecommunication tower be removed prior to occupancy of any of the units. He also referred to Attachment B, COA 14.A and said staff is recommending that the language be changed to "All driveways shall attempt to be reduced from 28 feet down to 24 feet to allow the pedestrian paseo areas to be expanded by eight feet." **Trudi Ryan**, Planning Officer, commented that reducing the driveways would allow the landscape area to be moved between the buildings to allow larger open space between the buildings.

Comm. Klein referred to COA 10.H and asked staff why the required masonry wall is eight feet tall as he recalled from a previous study session that the neighboring fences are 10 feet tall. Mr. Lynch said the fence for this project should be the same as the neighboring residential site.

Chair Hungerford asked if the applicant could construct around the cell phone tower prior to removal. Mr. Lynch said one building will be affected by the cell tower, and permits will need to be applied for to move the tower. Chair Hungerford said it appears there is some hazardous materials removal occurring. Mr. Lynch said that the Regional Water Quality Control Board would be the lead agency on clean up of water or soil contamination on this project. He said there is some minor contamination on the site, which is safe for residential, but it still needs to be cleaned up. Chair Hungerford referred to the top of page seven of the report that refers to "the mitigation system currently on site" and asked what that mitigation is. Mr. Lynch was not sure and Chair Hungerford said he would ask the applicant.

Chair Hungerford opened the public hearing.

Mitch Solomon, Vice President of Community Development for the Olson Company in Northern California, introduced several colleagues also attending the public hearing on behalf of this project representing David Gates and Associates, landscape architects, Civil Engineering Associates, and an architect from the Dahlin Group. Mr. Solomon provided a PowerPoint presentation showing examples of similar projects that the Olson Company has built throughout California, which number in over 100 projects throughout state. He mentioned several awards that the Olson Company and his colleagues have received for their respective lines of work as a testament to the quality of work that they provide. He provided slides of the site, discussing the nearby amenities and advantages of the site and discussed the adjacent neighboring sites. Mr. Solomon discussed details of the project, the types of units and other proposed features including the clubhouse, two-car garages, guest parking, open space, Below Market Rate units, patios, landscaping, trash enclosures, the Taylor Avenue elevation, the color scheme and materials, and the architecture. Mr. Solomon addressed Chair Hungerford's earlier question about the mitigation system currently on site for hazardous materials. He said there is a small area on site that has minor contamination from Trichloroethylene (TCE). He said there is an approved work plan for remediation that involves hauling away a small amount of dirt and installing monitoring wells which should show over a six-month period that the remediation is complete and the issue closed. He said they would make their best efforts to reduce the driveways. He referred to COA 3.F regarding the acoustical situation on the site and asked for clarification about where the testing should take place. He said the buildings of concern would be the buildings facing the street which include two buildings on East Taylor Avenue and one on to East Arques Avenue. He requested that the noise level testing be done from one of the units in each of the three buildings. He also referred to COA 6.B regarding foam trim, and said they would like to have this COA revised to say that the trim material would be subject to the review and approval of the Director of Community Development.

Comm. Sulser asked Mr. Solomon if the applicant had any concerns about COA 6.A regarding the redesign of the roofline. Mr. Solomon said they are not concerned with this COA and as they spoke with staff and have a good understanding of what staff is requesting. Comm. Sulser asked staff to address this issue. Mr. Lynch said the east elevations of the lower unit side entrances are unadorned and the COA will help address these entrances so they are more attractive.

Chair Hungerford closed the public hearing.

Comm. Sulser moved for Alternative 1 to adopt the Mitigated Negative Declaration and approve the Special Development Permit with attached

conditions. **Comm. Simons** seconded the motion and requested the motion be changed to Alternative 2, which is the same motion except with modified conditions. **Comm. Simons** offered a friendly amendment that COA 11.G be modified to include that the new trees installed be large species native trees as appropriate for each tree's placement on the site. **Comm. Simons** requested a friendly amendment that COA 14.A be modified to read "All driveways shall attempt to be reduced ..." and to modify COA 1.K to read that "The existing telecommunication tower shall be removed prior to occupancy." **Comm. Babcock** and **Comm. Simons** offered a friendly amendment to include in COA 3.F that the three units that are tested acoustically are two on East Taylor Avenue and one on East Arques Avenue. **Comm. Sulser** accepted the friendly amendments offered by **Comm. Simons** and **Comm. Babcock**.

Comm. Sulser said he is pleased with the design of this project and that he thinks it will be a nice addition to the neighborhood.

Comm. Simons said he was very happy to see no setback variations required on first and second stories.

Comm. Klein said he thinks this will be a good infill development to fill out the residential conversion of this area. He commended staff for working with the applicant to fix some of the issues that were raised in the study session. He said he thinks this is a good project.

Mr. Solomon thanked staff for their help with this project and said they have worked in many cities and have been very pleased with the quality and good experience they have had in Sunnyvale from a land use perspective.

ACTION: **Comm. Sulser** made a motion on 2005-1185 to adopt the Mitigated Negative Declaration and approve the Special Development Permit with modified conditions: to modify Condition of Approval (COA) 11.G to include that the new trees installed be large species native trees as appropriate for each tree's placement on the site; to modify COA 14.A to read "All driveways shall attempt to be reduced ..."; to modify COA 1.K to read that "The existing telecommunication tower shall be removed prior to occupancy"; to include in COA 3.F that the three units that are tested acoustically are two units on East Taylor Avenue and one unit on East Arques Avenue. **Comm. Simons** seconded. Motion carried unanimously, 6-0.

APPEAL OPTIONS: This item is appealable to City Council no later than June 27, 2006.